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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

LIVE VENTURES INCORPORATED;  
JANONE INC. (f/k/a Appliance Recycling  
Centers of America, Inc.); JOHN ISAAC  
a/k/a JON ISAAC; KINGSTON  
DIVERSIFIED HOLDINGS LLC; and  
VIRLAND A. JOHNSON,

Defendants.

Case No. 2:21-cv-01433-JCM-VCF

**STIPULATION AND ORDER FOR  
EXTENSION TO RESPOND TO  
DEFENDANTS' MOTIONS TO DISMISS  
(First Request)**

1 Plaintiff Securities and Exchange Commission (“SEC”) and Defendants Live Ventures  
2 Incorporated, Janone Inc. (f/k/a Appliance Recycling Centers of America), John Isaac a/k/a Jon Isaac,  
3 Kingston Diversified Holdings LLC, and Virland A. Johnson (“Defendants”) (collectively, the  
4 “Parties”), hereby stipulate and agree as follows to extend the current October 15, 2021 deadline for  
5 the SEC to respond to Defendants’ Motions to Dismiss by 17 days pursuant to LR 1A 6-1, and that  
6 any reply shall be filed on November 15, 2021:

7 WHEREAS, on August 2, 2021, the SEC filed the Complaint in the above-captioned action  
8 (ECF No. 1);

9 WHEREAS, on August 10, 2021 Defendants waived service of the summons in this action  
10 (ECF Nos. 9-13);

11 WHEREAS, on October 1, 2021, Defendants filed Motions to Dismiss the Complaint (ECF  
12 Nos. 22, 23, 34, & 35);

13 WHEREAS, pursuant to Federal Rule of Civil Procedure 6(c)(1) and LR 7-2, responses to the  
14 Motions to Dismiss must be filed by October 15, 2021;

15 WHEREAS, the Parties to this action, in the interest of the orderly management of this matter  
16 and to allow newly assigned SEC trial counsel enough time to respond to four Motions to Dismiss,  
17 have agreed to extend the SEC’s time to file responses to the Motions to Dismiss by 17 days to  
18 November 1, 2021, and have also agreed that Defendants shall file any reply to the SEC’s responses  
19 by November 15, 2021; and

20 WHEREAS, this is the Parties’ first stipulation to extend the SEC’s time to file its responses  
21 to Defendants’ Motions to Dismiss.

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NOW, THEREFORE, the Parties stipulate that the SEC's time to file its responses to Defendants' Motions to Dismiss is extended 17 days, to November 1, 2021, and any reply by Defendants shall be filed by November 15, 2021.

Dated: October 6, 2021

Respectfully submitted,

/s/ Jennifer Chun Barry

Jennifer Chun Barry  
Attorney for Plaintiff  
SECURITIES AND EXCHANGE  
COMMISSION

/s/ John C. Hueston

John C. Hueston  
Marshall A. Camp  
Daniel C. Sheehan  
Attorneys for Defendants  
LIVE VENTURES INCORPORATED and  
JOHN ISAAC aka JON ISAAC

/s/ Tamara Beatty Peterson

Tamara Beatty Peterson  
David E. Astur  
Attorneys for Defendants  
JANONE INC. and VIRLAND A. JOHNSON

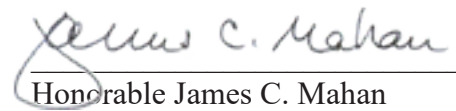
/s/ Dennis L. Kennedy

Dennis L. Kennedy  
Rebecca L. Crooker  
Attorneys for Defendants  
KINGSTON DIVERSIFIED HOLDINGS LLC

/s/ Sean T. Prosser

Sean T. Prosser  
Attorney for Defendant  
KINGSTON DIVERSIFIED HOLDINGS LLC

**IT IS SO ORDERED.**



Honorable James C. Mahan  
United States District Judge

Dated: October 7, 2021

**PROOF OF SERVICE**

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,  
444 S. Flower Street, Suite 900, Los Angeles, California 90071  
Telephone No. (323) 965-3998; Facsimile No. (213) 443-1904.

On October 6, 2021, I caused to be served the document entitled **STIPULATION AND ORDER FOR EXTENSION TO RESPOND TO DEFENDANTS' MOTIONS TO DISMISS (First Request)**

on all the parties to this action addressed as stated on the attached service list:

☐ **OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

☐ **PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

☐ **EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

☐ **HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.

☐ **UNITED PARCEL SERVICE:** By placing in sealed envelope(s) designated by United Parcel Service ("UPS") with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.

☐ **ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

☒ **E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.

☐ **FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct.

Date: October 6, 2021

/s/ Jennifer Chun Barry  
Jennifer Chun Barry

**SEC v. Live Ventures Incorporated, et al.**  
**United States District Court – District of Nevada**  
**Case No. 2:21-cv-01433-JCM-VCF**  
**(LA-04829)**

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